

The regular meeting of the Town Assembly of the Village of Arden was held on June 28, 1982, Chairman William Press presiding.

In attendance were:

Beatrice Jaffe
Helen Macklem
Leon Tanzer
Edward Wesolowski
Israel Floyd (NV guest)
Marie Dugan (NV guest)
Houston Roberts
Ethel G. Monfort
Sarah S. Hamburger
William Press
Donald Holcomb
Patricia Press
Rae F. Gerstine
Molca Budin
Stephanie L. Enie
Ronald B. Enie
Bertha W. Brooks
Mary Morley
Ruth Holcomb
Woodrow Vandever
Sarah R. Moore
Irene R. Heymann
Frank J. Heymann
Frank Herzog
Rowena Austin
Helen Vinson
Lee Starr
Joan W. Colgan
Harold Monfort
Thomas E. Colgan
Dora G. Johnson

Cy Liberman
Shaul Gladstone
Elizabeth Varley Walker
Connee L. McKinney
Wendie Hooks (NV)
Joel Steigenhofer (NV)
Wayne Kershaw
Carolyn Liberman
John Grimaldi (NV)
Ruth Shaw
Eugene Shaw
Aaron Hamburger
Jean Brachman
June Kleban
Bernie Brachman
Barbara Fenske
Thomas Carroll (NV guest)
Cecilia Vore
David Warner
Meg Little
Mary Burslem
John D. Hewlett
Robert Wynn (NV)
Susan Warner
Robert Terry (NV)
Jean Terry (NV)
Jim Brooks
Mark Marquisee (NV guest)
Larry Walker
Bernie Kleban

Minutes of the March meeting were distributed and approved.

Correspondence. The secretary reported that HB 580 has passed the House and the Senate and been signed by the Governor. This bill exempts the Town of Arden and all towns using the direct democracy form of government from the Freedom of Information Act requirement that they keep written voting records for each individual voter.

Moved, by Elizabeth V. Walker, Chairman of the Buzz Ware Village Center Committee, that the regular order of business be suspended to allow the Wilmington Montessori Association to present its proposals for the design and placement of the second addition to the Buzz Ware Village Center. Motion Passed unanimously.

Montessori presentation was made by Marie Dugan, Ed wesolowski, Israel Floyd, and Tom Carroll. Mrs. Dugan explained that Montessori's need for additional space arose out of their plan to add two more classes, one pre-school and one pre-elementary. This will give them three pre-school classes to feed into their elementary program, making it possible to enlarge the elementary class to the optimum size of 18 students (it now has 12 students).

The entire school population will be 140-150 students (150 is their top limit according to the contract signed with the town). The school has received foundation grants of \$50,000 to complete the project.

Two sets of drawings and blueprints of proposed additions were displayed and explained by Tom Carroll, a Montessori parent and engineer with Richardson Associates.

- (1) The East-Front Scheme. This plan is composed of a short module in front connected by a hallway with the longer module on the side. The hallway provides a good traffic pattern for the school. This addition will extend about 30 feet into the ballfield. This scheme is favored by Montessori and by the Joint Committee as being the most convenient and the one most aesthetically balanced.
- (2) The West-Rear Scheme. This plan places the two modules side by side with a hallway in the middle and includes an open-air court area (about 10 feet wide), it will be fenced for security. The open court will allow for light in the building and take care of drainage problems. This plan would be easier to add and would require less roof work.

Both schemes will add about 1760 square feet to the building. In both cases, a false pitched roof will be added to fit in with the existing roof line.

Discussion:

Location of the addition is a matter of concern. Which plan will interfere least with the Green? Community Planning Committee felt that plan #1 would make the best use of land, there is less open space on the Sherwood side and plan #1 would make the Green appear less crowded. Wouldn't plan #1 interfere with the baseball field?

How will the water drain from the roof? Downspouts will be provided allowing water to drain from the front and the rear.

Does our contract with Montessori specify the total square feet that may be added? Yes, the total allowed is 3,500 square feet; both additions fit within that restriction.

Will more additions be proposed? No, the contract does not allow for any more. Confusion arises by talking of two modules for each addition. Though each addition arrives in two parts, each is a single addition.

Increasing the building size will make the already existing traffic and parking problems worse and will encroach on our Green area. Will the Sherwood Green still be designated a Green by the Assessors? Yes.

A decision on the Montessori proposals will be made under old business.

Standing Committee Reports

Trustees - Cy Liberman

The financial report was received and is on file. The collection of land rent, the foremost duty of the Trustees, is going well.

Each year the books of the Trustees are audited by a certified public accountant. The audit for the fiscal year which ended

March 24, 1982, showed that the surplus in the general fund was \$59,511.81, only about \$1200 less than the surplus at the same time the previous year. Anyone wishing to examine the audit report may find a copy at the Trustees' office by consulting the secretary.

The Trustees were asked to invest reserve funds of the Village Center and we are doing that.

Assessors - Harold Monfort

The report of the Arden Board of Assessors for Land Rent Due March, 1983, was distributed, accepted, and is on file.

Discussion:

Bob Wynn questioned the purpose of the Assessors' yearly open meetings. The purpose used to be to determine land values. Now that the definition of full-rental value has changed, what powers are left to the Assessors?

The Assessors are charged by our Charter to hold 2 open meetings yearly. The Charter does not define the business of these meetings, presumably any item of town finance could be discussed. Each year the Assessors' process is open to change. The Committee is interested in the concerns of all and is willing to answer any questions. It would be helpful if at the open meetings, the Assessors would present the trend of their thinking so residents could react. Residents are reminded that all Assessors' meetings are open, these special meetings are held especially to hear the concerns of the residents and leaseholders.

Community Planning - Cy Liberman

The committee has revised Ordinances #12 and #13 in accordance with the amendments adopted by the Town Assembly. The amended ordinances are ready for their third reading tonight.

The committee believes the intention of the Town Assembly concerning the future use of the commons across Harvey Rd. from the Memorial Garden is to reserve it for an extension of the Memorial Garden, but we find no record of a written statement of that intention. We have therefore prepared a resolution to be proposed for adoption tonight.

Budget - Leon Tanzer

All committees should be thinking of their specific financial needs for the coming year. Members of the Budget Committee will be approaching each committee to ascertain their needs during the next two weeks.

Audit - No Report

Civic - Joan Colgan

The committee toured the Arden woods and found them to be in good condition. The paths are clean and Indian Circle is in good shape and has a trash can. One reason the woods are clean is because of the Community Planning Committee's clean-up day. If more people would participate, it would look even better.

Motorcycles are using the Sherwood Forest and leaving unsightly tracks. We hope, with the help of residents, to find the culprits and put an end to this problem.

There has been no sign recently of animal traps in the woods.

At the request of the Planning Committee, we have signs ready to post at 6 entrances to the woodlands on both sides of the Village. As soon as the ordinance closing the forests from dusk to dawn is passed, these will be erected. All new road signs are up and a few more have been ordered, so that within the next couple of weeks we will be up-to-date. Don Holcomb has taken over this job and has a signmaker in Pennsylvania who can deliver them within two weeks.

The committee requests residents not to throw tree or hedge clippings in the woods. These become unsightly piles which could more easily be burned on the leaseholds between the hours of 10 AM and 2 PM. We also request all residents to cut back hedges and growth on the town right-of-way and paths at their leaseholds. The Civic Committee is cutting back overhanging trees on town property to open up the right-of-way and improve visibility at corners. Several dead or dying trees were removed from the Arden Green.

Since Gail Rinehart will be away all summer, please call Joan Colgan if you have any problems with the trash collection.

For Arden Club sponsored events in the Stephens Memorial Theater, the parking regulations are:

- 1) Parking permitted only on the portion of the Green between Inn Lane and Millers Rd.
- 2) Woodland Lane to be blocked off to traffic during performance.
- 3) Parking must be supervised and is only permitted if weather is good.
- 4) The Club will be responsible for any damage.

Playground - Rowena Austin

Our organizational meeting was held at which Beverly Barnett was elected Chair, Rowena Austin Secretary, and Bill Bailey in charge of inspections and maintenance.

All the swingsets have now had the Geo-Textile installed under the Right-Dress. Two new swing seats were installed on the sets on the Sherwood Green.

One of the rocking horses was removed temporarily because two of the four anchoring bolts had rusted loose. As soon as we can contract to have a new foundation and anchoring bolts installed it will be returned.

We are in the process of getting bids to replace the fencing that comprises the baseball backstop on the Village Green. We expect to have this done as well as cleaning and painting the supports, sometime this summer.

Regular inspections were held in March, April, and May.

Buzz Ware Village Center - Elizabeth Varley Walker

In late March after the last Town Assembly, the Wilmington Montessori Association received a grant which would enable them to start planning for the second module. They contacted the BWVC, and they were asked to prepare a number of suggested plans and drawings for presentation to the BWVC and Community Planning Committees. We had several meetings and narrowed the choice to three out of the original seven proposals. Of these three, one was

chosen as the most attractive, and was presented as our first choice at the joint open house when the plans were available for viewing by the community.

WMA also would like permission to renovate the bathrooms in the Center. This project would add more fixtures to each bathroom and include tiling and repainting the walls.

The Committee is looking into the possibility of buying new light standards from Delaware Power and Light Company for the basketball court. We also hope to have a course in Cardio-Pulmonary Recussitation, CPR, taught in the fall at the Center. We plan to open the BWVC Coffee House in the fall for a limited time, ending with the Third Adult Christmas Party. We are hoping to purchase some new chairs to replace the old metal folding ones.

Other program ideas should be suggested to Diane Kershaw. Summer scheduling is being handled by Diane Kershaw or Liz Walker. Our next regular meeting is July 26 at 7:30 at the BWVC.

Correction of the March Town Assembly minutes. It is the Ardencroft Town Assembly, not the Ardentown Assembly that is meeting in the Center. This meets the guidelines of the BWVC Building Use Policy which states that the building is to be open to use by groups from any of the 3 Ardens.

Registration - Beatrice Jaffe

The Registration Committee reports 395 voters eligible at Town Assembly on June 28, 1982. We hope to resume the series of black parties in the early fall.

Safety - Wayne Kershaw

Signs have been put at various places around town. We are still working at other locations to replace and add new signs. We are still joint-contracting with Ardentown for County Police protection, this seems to be working well. Town Watch is alive and functioning. Bert Passanante is doing the scheduling, John Austin is now your contact person.

Overgrowth is still a very serious problem. People walking and driving have a horrible time seeing one another. Please take this upon yourself to eliminate this problem before we have a serious accident.

Harvey Rd. was the topic of one of our Safety meetings. Mr. Brooks will address this under new business.

It was noted that no-parking signs are still needed on one side of Inn Lane and that the one-way sign at Cherry and Green Lanes is gone.

Speeding on Millers Rd. continues to be a problem. Since the town has repeatedly expressed disfavor with speed bumps, how about considering dips in the road to discourage speeding? Would they create a drainage problem? Would they be a hazard to bicyclists?

Advisory - No Report

Special Committee Reports

Arden Fair Committee - Sally Hamburger

This special committee was set-up by a motion at the January 1982 Town Assembly to meet with the Arden Club to work out problems created by the beer garden and parking at the Arden Fair. The committee consisted of Warren Davis, Dora Johnson, Wayne Kershaw, Leon Tanzer, and Paul Thompson.

The committee met 4 times with a 5 member committee from the Arden Club. The first 2 meetings included public hearings where residents presented their concerns and suggestions regarding the operation of the Fair. The plan for the 1982 Fair to be presented at tonight's meeting is the recommendation of this committee.

Plan for improving beer garden and parking operations at the 1982 Fair.

Beer Garden

Crowd Control. The beer garden will be completely enclosed with snow fencing. Access to the garden will be restricted to one entrance and exit. A second line of snow fencing will be erected along Harvey Rd. at the cemetery. Entrance to and exit from the Fair through the cemetery will be prevented.

Toilet facilities. Portable toilets will be doubled from 1981.

State Police. Two policemen will be assigned to the beer garden at all times. Police will be given specific instructions in advance to prevent: a) underage drinking, b) rowdy behavior, c) bringing outside beer into the beer garden, and d) movement of people onto neighboring property.

Parking

Supplemental parking will be provided at the Harvey Rd. YMCA camp. (This area is not available, however, for our rain date, Monday, 9/6.) Cars coming from I-95, Philadelphia Pike and Veale Rd. will park at the YMCA camp. Cars coming from Marsh Rd. and the West will park on the Arden Green. A free shuttle bus will move people from the YMCA camp to the fair grounds. Fire police will direct the operation at both parking sites and along access roads. Estimated needs are 6 fire police at Arden Green and 5 at the YMCA camp.

Estimated additional costs over 1981 expenses for the above improvements are \$300 for the Beer Garden and \$600 for parking.

The committee was commended for its good work with the reminder that although these changes are expected to improve conditions, problems may still arise with the influx of such a large crowd.

Arden Fire Committee

The House has passed a bill requiring the restructuring of the Fire Commission, giving it more power over local companies.

Cy Liberman felt this legislation was deceitfully alluring. It was written by lobbyists from the fire companies and the Fire Commission is made up entirely of fire service people. There is still no community input or outside control, so we are still where we were.

Old Business

Ordinance #12 received its third reading as amended.

Section 1. Purpose. This ordinance amends Arden Ordinance #4 by repealing its section 2 and enacting a new section 2.

Section 2. No person or group shall sleep or camp overnight on the Greens or other Commons in Arden. The forests of Arden shall be closed to all persons from dusk until dawn, except individuals or groups with written permission from the Civic Committee.

The following amendment was moved, seconded, and passed.

Section 3. This ordinance will expire at the September 1983 Town Assembly unless extended at that time or at succeeding September meetings for one year.

Ordinance #12 passed unanimously.

Ordinance #13 received its third reading as amended.

Section 1. Purpose. Arden has had a policy of encouraging leaseholders to provide off-street parking on their leaseholds. The ordinance makes this policy a requirement three years after adoption.

Section 2. Every leaseholder in Arden shall provide parking space on the leasehold and off the roads of Arden, to accommodate every vehicle regularly used by persons living on the leasehold.

Section 3. Violation of this ordinance shall be punishable by a fine of \$100.

Section 4. Community Planning Committee shall administer this ordinance and shall issue warning to violators at least 30 days before prosecuting them in the courts of Delaware.

Section 5. The Community Planning Committee may grant an exemption from the requirement of this ordinance to any leaseholder the committee determines is unable to comply because of lack of land or road frontage. Such exemptions shall be in the form of a written statement to be filed with the secretary of the Town Assembly and the secretary of the Trustees.

Section 6. This ordinance shall be effective three years after adoption.

Ordinance #13 passed with one nay vote.

Moved and seconded that the Town Assembly approve the Wilmington Montessori Association addition to the BWVC at the East-Front Scheme, (Plan #1).

Discussion: We are legally committed to expanding the building, though we did not expect to be faced with another addition so soon. Some expressed disapproval of any expansion at this time.

Though the East-Front Scheme is the most aesthetically pleasing, it will extend 30 feet into the baseball field. This plan interferes with large events like ball games and the flea market. The Sherwood side of the Green is used as a playground for smaller events and the addition wouldn't interfere with its use as much. Several residents expressed a preference for plan #2, the West-Rear Scheme. Montessori and the Joint Committee have no strong preference for one scheme over the other.

Moved, seconded, and unanimously passed, that this motion be tabled to allow a straw vote to be taken to ascertain the Assembly's preference between plan #1 and plan #2.

Straw Vote: Plan #1, East-Front Scheme - 16
Plan #2, West-Rear Scheme - 15

A recess was declared to allow time for an on-site inspection of the proposed locations.

Straw vote taken after the on-site inspection:

Plan #1, East-Front Scheme - 5
Plan #2, West-Rear Scheme - 26
Neither plan - 8

Moved, seconded, and passed that the motion to approve plan #1 be lifted from the table.

Discussion: Though we are not contractually bound to approve a plan tonight, we are committed to making a decision at some point. What happens if both schemes are rejected? The Joint Committee would re-examine the proposed designs and call for a special Town Assembly.

Motion revised: Moved that the Town Assembly approve Plan #2, the West-Rear Scheme.

Motion carried, 29 aye, 12 nay.

Moved and seconded that the Town Assembly allow the Wilmington Montessori Association permission to renovate the bathrooms. This would mean adding two fixtures to one bathroom and one fixture to the other. Motion passed unanimously.

Harvey Road Problem - Jim Brooks

The Safety Committee met with Rep. Gwynne Smith concerning safety on Harvey Rd. She requested that Kermit Justice, Secretary of the Dept. of Transportation, conduct a safety survey of the road. This was done by Mr. McBride, the County Engineer. His recommendations were: the road is too narrow, the shoulders eroded, the drainage poor, the speed limit signs confusing, and the potholes dangerous.

The committee is requesting that the road be repaved, reconstructed and recrowned, the signs changed, and the intruding mail-boxes and cement steps be removed. The County continues to refuse to erect a signal or stop sign at the intersection of Harvey and Orleans, feeling that it will lead to the possibility of rear-end collisions. Safety Committee will work with the Dept. of Transportation to correct the problems described.

Residents are requested to cut back shrubbery that impedes vision on Harvey Rd.

New Business

Resolution proposed by Tom Colgan

The Town Assembly hereby declares the Town of Arden to be a nuclear weapon-free zone. No nuclear weapon shall be produced, transported, stored, processed, disposed of, nor used within the Town of Arden. No facility, equipment, supply or substance for the production, transportation, storage, processing, disposal or use of nuclear weapons shall be allowed in the Town of Arden.

Resolution passed unanimously.

Bob Wynn requested that the town get a legal opinion on the legality of the domicile rule and settle the question. The Trustees have been advised that in order to resolve the question, a suit must be brought. The town is not willing to spend the money for such a suit.

Moved by the Community Planning Committee that the Commons bounded by Harvey Rd., the Sweep, Lower Lane and the Stile Path shall be reserved for future use as an extension of the Memorial Garden.

Discussion: Though this seems like a good use for the land, we should not make decisions about the use of town Greens lightly. The subject was not noted on the meeting notice and people have not had time to consider the matter thoughtfully. Since the matter is not urgent, it was moved and seconded that the motion be tabled for consideration at the September Town Assembly and announced on the meeting notice. Motion carried, 18 aye, 13 nay.

It was suggested that at future June Town Assemblys where it is necessary to keep the fans running, we use a public address system so everyone can be heard.

Meeting adjourned.

Sarah S. Hamburger